

Appl. No. 10/073,110
Reply to Office action of October 16, 2003

REMARKS/ARGUMENTS

1) Summary of Prosecution

Applicant has filed with this Request for Continued Examination an amendment of the claims responsive to the Final Action mailed October 16, 2003 on application 10/073,110 from which the present application continues.

Claims 1 to 10 have been withdrawn. In view of the Examiner's earlier restriction requirement, Applicant retains the right to present claims 1 to 10 in a divisional application. Claims 11 to 16 remain in this application.

2) Anticipation - 35 USC 102(b) - (Claims 11 to 13, 15, and 16)

The Examiner objected that claims 11 to 13, 15, and 16 are anticipated by United States Patent No. 4,037,670 to Atherton et al. ("Atherton"). The Applicant respectfully traverses the objections as follows:

i) Atherton Patent

Referring to Fig. 3 of Atherton, the Examiner states, in part, that Atherton discloses a bracket (61), a clamp shoe (63) and a hydraulic ram (67). The Examiner further states that "the end of the hydraulic ram (67) is received in the bracket (61)", and acts on the rear face of the clamp shoe (63).

In this arrangement, only an "end" of the hydraulic ram is attached to the bracket. The hydraulic ram itself is not received in the bracket. Accordingly, Atherton discloses a hydraulic ram (67) external to the bracket (61).

Furthermore, while it is not entirely clear from the Fig. 3 of Atherton, it appears that the hydraulic ram acts on a pin of the clamp shoe, not a rear face. In particular, Atherton discloses that the hydraulic ram (67) is pivotally connected to clamp shoe (63) at pivot (73) (see column 4, lines 43-48 and 54-56 of Atherton).

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ii) Claim Amendment

The Applicant amends claim 11 to recite, in part, an adjustment mechanism being located in said holder between a rear face of said bearing and said bearing holder.

This amendment is supported by the disclosure. For example, as shown in Fig. 3 of the present application, *both* the bearing and the adjustment mechanism are "located in" the holder. Furthermore, the adjustment mechanism of the present application acts on the rear face of the bearing.

In contrast, the hydraulic ram of Atherton is external to the bracket. Additionally, Atherton does not disclose that the hydraulic ram acts on the rear face of the clamp shoe. The disclosure of Atherton suggests that the hydraulic ram acts on a pivot inside the clamp shoe.

Accordingly, the claimed invention is patentably distinctive from that which is disclosed in Atherton. The Applicant respectfully submits that Claim 11, as amended, is not anticipated by Atherton. Claims 12 to 13, 15 and 16 ultimately depend from independent claim 11. To the extent that claim 11 is presently allowable, claims 12 to 13, 15 and 16 are also allowable.

Closing Remarks

In view of the above remarks, the claimed invention is patentably distinctive from that which is disclosed in Atherton. The Applicant respectfully submits that Claims 11 to 13, 15, and 16 are not anticipated by Atherton.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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